Crl.M.No. 52087 M OF 2006.

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Present : Mrs. G.K.Mann, Advocate,
for the petitioner.

Mr.B.S.Baath, AAG, Punjab.

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The petitioner seeks grant of regular bail in case FIR No.42, dated 24.4.2006, registered under Sections 420/34 of the IPC, at Police Station Khalra, District Amritsar.

Counsel for the petitioner contends that the petitioner has been behind bars for more than six months. The allegations in the FIR that the petitioner duped the complainant of a large sum of money, are false and would be determined by the trial Court. As the challan has been presented and charges have been framed, the petitioner should not be incarcerated indefinitely.

Counsel for the State of Punjab, on the other hand, contends that the petitioner duped the complainant of a large sum of money. He gave the complainant a pot, containing 20 packets, which appeared to be currency notes and asked him not to open the pot for a month. When the pot was opened, instead of currency, simple papers were found. It is contended that in view of the gravity of the offence, the present petition be dismissed.

I have heard learned counsel for the parties and perused the paper book.

The allegations, levelled against the petitioner, would be adjudicated by the trial Court. The petitioner has been behind bars for more than six months. The challan has been presented and charges have been

framed. Counsel for the respondent has not expressed any apprehension that if released on bail, the petitioner would tamper with the prosecution evidence or in any manner subvert the process of trial.

Bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Amritsar.

Nothing, stated herein, shall be construed to be an expression of opinion, on the merits of the controversy.

(RAJIVE BHALLA)
JUDGE

November 14, 2006.
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